

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN W. GORDON, :
 :
 Plaintiff, : No. 1: CV 01-0331
 :
 v. : (Judge Rambo)
 :
 N. GONZALEZ, *et al.*, : Electronically Filed
 :
 Defendants. :

PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME
TO COMPLETE DISCOVERY

____AND NOW comes Plaintiff Juken W. Gordon, through David L. Glassman
his attorney, to request an enlargement of time for the completion of medical
discovery for the following reasons:

1. On June 2, 2004, the Court granted Plaintiff's motion for trial
continuance and extended the deadline for completion of discovery to July 30,
2004.
2. On July 2, 2004, Omega Diagnostic Imaging of Brooklyn, New York
furnished to undersigned counsel a copy of the March 1997 MRI reports on the
Plaintiff following his February 1997 car accident.
3. On July 7, 2004, the defendants responded to plaintiff's request for
production of all of their medical records on the plaintiff from 1997-2000.

4. On July 16, 2004, the South Central Regional Jail in West Virginia sent to undersigned counsel a copy of the April - November 1997 pretrial confinement medical records of the Plaintiff.

5. The plaintiff has requested undersigned counsel to issue a trial subpoena upon Dr. William Reish, now retired from Sun Orthopaedic Physicians of Lewisburg, concerning the medical examination of the Plaintiff on December 19, 2000 at USP - Allenwood.

6. Undersigned counsel believes that a pretrial statement from Dr. Reish likely would clarify his medical report, nullify his value to plaintiff as a trial witness, and save the doctor the inconvenience of traveling to Court.

7. On June 21, 2004, undersigned counsel mailed a one-page list of questions to Dr. Reish, with a copy to defense counsel, with the intention of obtaining informal responses from Dr. Reish in lieu of the inconvenience of issuing a subpoena upon the doctor to appear either for a deposition or for trial.

8. Unfortunately, Doctor Reish has not responded to the aforementioned letter from counsel.

9. On July 19, 2004, undersigned counsel spoke by telephone with Anita Lightner, Paralegal Specialist for defense counsel, concerning the availability of defense counsel to attend a deposition of Dr. Reish.

10. Ms. Lightner informed undersigned counsel that defense counsel was away at training until July 23, 2004.

11. On or about July 28, Ms. Lightner informed undersigned counsel that defense counsel had returned from training but that she requires additional time to accommodate the schedule of Lori Cunningham, Supervisory Attorney for USP - Lewisburg, for attendance at such a deposition.

WHEREFORE, plaintiff Juken W. Gordon requests that the Court enlarge the discovery deadline from July 30 until August 27, 2004 for the limited purpose outlined in the instant motion.

Respectfully Submitted,
s/David L. Glassman, Staff Attorney
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PA ID #51200
Attorney for Plaintiff Juken W. Gordon

Date: July 29, 2004

CERTIFICATE OF SERVICE

_____ I certify that I served today the foregoing “Plaintiff’s Motion for Trial Continuance” upon the following individuals and in the following manner:

VIA ECF EMAIL NOTICE

_____ Michael J. Butler, Assistant U.S. Attorney
U.S. Attorney’s Office
Harrisburg, PA
Email: Michael.J.Butler@usdoj.gov

s/David L. Glassman, Staff Attorney
Lewisburg Prison Project, Inc.
P.O. Box 128
Lewisburg, PA 17837

Date: July 29, 2004